

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Koji Hayashi et al. Art Unit : 2627
Serial No. : 09/748,509 Examiner : Kim Kwok Chu
Filed : December 26, 2000
Title : CONTROLLER FOR DATA RECORDER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO ACTION OF APRIL 20, 2006

In reply to the Office Action of April 20, 2006, Applicant submits the following remarks.

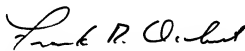
Applicants filed an information disclosure statement on October 12, 2005 to correct a typographical error in a previously filed information disclosure statement. Applicants request consideration of this statement and request an initialed copy of the PTO Form 1449 be returned for our files.

Claims 3-9 were provisionally rejected under the judicially created doctrine of double patenting over the claims of U.S. Application No. 09/748,400. Applicants note that claim 10 is pending yet was omitted from the office action. Accordingly, applicants request that claim 10 be considered. Attached is a Terminal Disclaimer which applicants believe will overcome the rejection.

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: July 11, 2006



Frank R. Occhiuti
Reg. No. 35,306

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906